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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Case No. 7 :23-cv-01129-NSR
ERNESTO GARCIA, *individually and on behalf
of others similarly situated,*

Plaintiff,

2390 CRESTON REALTY LLC, 2390 C LLC,
and DENALI MANAGEMENT INC.,

Defendants.

**DEFAULT JUDGMENT AS TO
DEFENDANT 2390 CRESTON
REALTY LLC**

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This action was commenced on February 9, 2023, the Amended Complaint was filed on April 12, 2023 (ECF No. 15), and a summons was issued for Defendant 2390 CRESTON REALTY LLC on May 16, 2023 (ECF No. 20). Service was then made on Defendant 2390 CRESTON REALTY LLC on May 17, 2023 (ECF No. 21), pursuant to , to NY Limited Liability Company Law § 303 and Fed. R. Civ. P. Rule 4(e)(1), by service upon the NY Secretary of State on May 17, 2023/

To date, Defendant 2390 CRESTON REALTY LLC has not answered the Complaint or otherwise appeared or moved, and the Clerk of this Court has certified the default of said Defendant (ECF No. 25) The time for answering the Complaint having expired, it is

NOW, on motion of Plaintiff, by his attorney Stillman Legal PC., It is hereby

ORDERED, ADJUDGED AND DECREED:

That the Plaintiff have judgment against Defendant 2390 CRESTON REALTY LLC, in the total amount of \$190,849.01 which include: (A) liquidated damages for unpaid minimum and overtime wages in the amount of \$ \$87,292.50; (B) unpaid minimum and

overtime wages in the amount of \$ \$87,292.50; (C) statutory damages for violation of New York Labor Law §193 and §195 in the amount of \$5,000; (D) statutory damages for violation of New York Labor Law § 191 in the amount of \$5,000; and (E) the Plaintiff is awarded attorney's fees in the amount of \$6,264.01. It is

FURTHER ORDERED, ADJUDGED AND DECREED:

That if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent, as required by NYLL § 198(4).

SO ORDERED.

Dated: November 30, 2023
White Plains, NY

A handwritten signature in black ink, appearing to read 'Nelson S. Román', is written over a horizontal line.

Nelson S. Román
United States District Judge